

Technical Reading Comprehension Questions

Computer Passage

I. Introduction

In the 1983 movie "War Games," Matthew Broderick and Ally Sheedy play high school students who inadvertently access the NORAD computer network, thinking that they are merely playing a "war game" with the computers. As a consequence, Broderick and Sheedy come Hollywood-close to initiating a nuclear exchange between the United States and the Soviet Union. In order to accomplish this hack, Broderick configures his PC's modem to automatically dial random telephone numbers in the city where the computers he hopes to break into are located. When Sheedy asks Broderick how he pays for all the telephone calls, Broderick coyly tells her that "there are ways around" paying for the phone service. Sheedy asks: "*Isn't that a crime*"? Broderick's reply: "*Not if you are under eighteen.*"

This article demonstrates why Broderick was wrong, for, while the movie may have seemed to be pure science fiction, the increased reliance on computers at all levels of society, coupled with the explosive growth in the use of personal computers and the Internet by teens, has made the scenario portrayed by the film seem to be not so fictional. Consider the following cases:

- * A juvenile in Massachusetts pleads guilty to charges he disabled a key telephone company computer servicing the Worcester airport control tower, thereby disabling both the main radio transmitter, as well as a circuit which enabled aircraft on approach to send signals activating the runway lights.
- * A 16-year-old from Florida pleads guilty and is sentenced to six months in a detention facility for intercepting electronic communications on military computer networks and for illegally obtaining information from a NASA computer network.
- * A 16-year-old in Virginia pleads guilty to computer trespassing after hacking into a Massachusetts Internet service provider's (ISPs) computer system, causing \$20,000 in damages.
- * A 13-year-old California boy pleads guilty to making threats directed against a 13-year-old girl over the Internet. The boy had created a website which included a game featuring the girl's picture over a caption which read: "Hurry! Click on the trigger to kill her." The website included a petition calling for the girl's death.

This article seeks to explain: (1) why and how the rise of the computer culture and Internet generation presents opportunities for juveniles to commit crimes distinctly different from those traditionally committed by minors; (2) the statutory framework governing prosecution of computer delinquents in federal court; and (3) special considerations which pertain to the prosecution of computer crimes by juveniles. At a time when a *Newsweek* survey estimates that almost eighty percent of children regularly go online, the incidence of computer crime committed by juveniles will, increasingly, come to a prosecutor's attention.

II. Kids and Computer Crime

As has been documented in other articles in this publication, the rapid growth in the use of personal computers (PCs) and the advent of the Internet have made it possible for persons of all ages to commit serious crimes -- including extortion, computer hacking, and credit card fraud --

without ever leaving the comfort of home. In addition, difficulties in obtaining electronic evidence and tracing back to the electronic wrongdoer present unique challenges to law enforcement investigating computer crimes committed by persons of any age. In the context of juveniles who engage in criminally antisocial computer behavior, these problems take on special significance. This is true for several reasons.

First, the enormous computing power of today's PCs makes it possible for minors to commit offenses which are disproportionately serious to their age. For example, while property offenses committed by minors in the "brick and mortar" world typically include shoplifting or other forms of simple theft, the advent of computer technology has made it possible for minors in the "point and click" world to engage in highly complex fraud schemes. "Typical" computer crimes committed by minors include trading stolen credit card numbers and amassing thousands of dollars worth of fraudulent purchases on those cards, or large-scale pirating of copyrighted computer software which is later sold or bartered to other minors in exchange for other pirated software. A Canadian juvenile has already been held responsible for launching a massive denial of service attack costing American companies millions of dollars. Likewise, there is, in principle, no reason why a juvenile could not release a computer virus, infecting tens of thousands of computers, or engage in large scale securities manipulation, causing six and seven-figure damages to investors. Indeed, given the technological sophistication of today's youth (evident to any parent who has relied on their fourteen year-old to set up the family computer), it is possible for a teenager to commit computer-related property offenses on a scale to which, prior to the 1980's, only seasoned veterans of the criminal justice system could aspire.

Second, the ability of a juvenile to portray himself or herself as an adult in the online world means that juveniles have access to fora in which to engage in criminal activity -- for example, auction Websites, financial services Websites, and chat rooms -- that in the physical world would quickly deny them any access at all. This access opens doors to criminality previously closed to minors. In a similar vein, kids who are too young to drive can use a PC connected to the Internet to access computers worldwide, adding to their ability to commit serious and far-reaching offenses and to confederate with other computer delinquents. Not only is it difficult for parents to deny their children access to computers -- necessary for much legitimate schoolwork -- even were parental control at home practicable, the ubiquitous (and often free) computer access provided by high schools, public libraries, and friends make "computer curfews" an oxymoron.

Third, juveniles appear to have an ethical "deficit" when it comes to computer crimes. In one study, 34 percent of university undergraduates admitted to illegally pirating copyrighted software, and 16 percent admitted to gaining illegal access to a computer system to browse or exchange information. See Bowker, *Juveniles and Computers*, at 41 (citing surveys). Moreover, a recent poll of 47,235 elementary and middle school students conducted by Scholastic, Inc. revealed that 48% of juveniles do not consider hacking to be a crime. This ethical deficit increases the likelihood that even "good kids" who are ordinarily unlikely to commit crimes such as robbery, burglary, or assault, may not be as disinclined to commit online crimes.

III. Prosecuting Juveniles in Federal Court

Against this backdrop, Federal prosecutors bringing computer delinquents to justice must master the provisions of the criminal code applicable to those actions. Specifically, they must understand the Juvenile Justice and Delinquency Prevention Act (the "Act"), codified at 18 U.S.C. §§ 5031 to 5042 of Title 18, which governs both the criminal prosecution and the delinquent adjudication of minors in federal court. While a complete analysis of the Act is beyond the scope of this article, certain of its provisions bear discussion, for proceedings against juveniles in federal court differs in significant respects from the prosecution of adults, and the prosecution of computer delinquents presents special considerations different from juveniles involved in other delinquencies. Specifically, as described below, the Act creates a unique procedure for delinquency proceedings against juveniles -- a process quasi-criminal and quasi-civil in nature,

replete with its own procedural complexities and particular rules. In their totality, these unique provisions seek to take account not only of the special protections provided to minors but also of the fact that even persons under 18 can commit "adult" crimes.

As a threshold matter, it is important to note that a juvenile proceeding is not the same as a criminal prosecution. Rather it is a proceeding in which the issue to be determined is whether the minor is a "juvenile delinquent" as a matter of status, not whether he or she is guilty of committing a crime. Thus, a finding against the juvenile does not result in a criminal conviction; instead, it results in a finding of "delinquency." Indeed, the juvenile proceeding is specifically designed to *lessen* the amount of stigma that attaches to the act of delinquency compared to a criminal conviction, and to emphasize the rehabilitation, rather than punishment, of the juvenile. See, e.g., *United States v. Hill*, 538 F.2d 1072, 1074 (4th Cir. 1976). With that background in mind, several aspects of the Act can be examined.

1. Why is Matthew Broderick's character wrong?
A: Computer crimes are illegal for minors as well as adults.
B: Minors cannot commit computer crimes.
C: Computer crimes are more common today.
D: Juvenile proceedings can result in a criminal conviction for minors.
2. According to the *Newsweek* survey, what do 80% of American children do regularly?
A: Play video games
B: Commit computer crimes
C: Hack
D: Go on-line
3. Which technological advance allows minors to impersonate adults?
A: Internet
B: ATM machines
C: Improvements in computing power
D: Video games
4. What does a juvenile proceeding determine?
A: Whether a minor can be tried as an adult
B: Whether a minor has a chance at rehabilitation
C: Whether a minor is a juvenile delinquent
D: Whether criminal charges can be brought forward
5. Which computer crime do almost half of students believe is legal?
A: Credit card fraud
B: Hacking
C: Extortion
D: Web surfing
6. What point is the author trying to make by giving the four examples of computer crime?
A: Computer crime is not very common
B: Computer crime by minors is becoming more common and can be very serious.
C: Minors can do some interesting things with computers.
D: Computer crime is the biggest problem in America today.
7. Why might some people be more likely to commit computer crime than crimes like assault or burglary?
A: Computer crime is more anonymous, and does not always have a clear victim.
B: Computer crime is more lucrative.

- C: Computer crime is not really illegal.
- D: Computer crime requires little technical expertise.

8. What general statement is supported by this passage?

- A: Computer crime is easy to commit.
- B: The children of today have no morals.
- C: The law must adapt to advances in technology.
- D: "War Games" is a terrible movie.

9. Who is the likely audience for this passage?

- A: Prosecutors
- B: Juvenile delinquents
- C: Parents
- D: Hackers

10. What is the main idea of this passage?

- A: Computer crimes are the biggest problem among America's youth.
- B: Computer crime among minors is on the rise, and requires special prosecution.
- C: Matthew Broderick is wrong.
- D: Computer crimes are less common now than five years ago.

Answer Key for Technical Reading Comprehension:

- 1. A
- 2. D
- 3. A
- 4. C
- 5. B
- 6. B
- 7. A
- 8. C
- 9. A
- 10. B